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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Kamari Diamond,

10 Plaintiff,

11 v.

12 Mary Zielinski,

13 Defendant.  
14

No. CV-19-05239-PHX-MTL

**ORDER**

15 Before the Court is Magistrate Judge Eileen S. Willett's Report and  
16 Recommendation ("R & R") (Doc. 28), recommending that the Amended Complaint  
17 (Doc. 9) be dismissed without prejudice for Plaintiff's failure to comply with the Court's  
18 Orders and to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.  
19 Having reviewed the R & R, and no objection having been made by any party, the Court  
20 hereby incorporates and adopts the R & R in its entirety. *United States v. Reyna-Tapia*, 328  
21 F.3d 1114, 1121 (9th Cir. 2003) ("Neither the Constitution nor [28 U.S.C. § 636(b)(1)(C)]  
22 requires a district judge to review, de novo, findings and recommendations that the parties  
23 themselves accept as correct."). Accordingly,

24 **IT IS ORDERED adopting** the Report & Recommendation (Doc. 28).

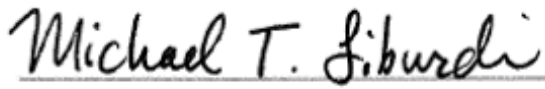
25 **IT IS FURTHER ORDERED** that the First Amended Complaint (Doc. 9) is  
26 **dismissed without prejudice** for Plaintiff's failure to comply with the Court's Orders and  
27 to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

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1           **IT IS FURTHER ORDERED denying** Defendant's Motion to Extend Disclosure  
2 and Discovery Deadlines (Doc. 30) as **moot**.

3           **IT IS FINALLY ORDERED** directing the Clerk of Court to close this case.

4           Dated this 23rd day of February, 2021.

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8           Michael T. Liburdi  
9           United States District Judge  
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